

U.S. Serial Number: 10/699,232
Reply to Office Action of: 12/20/04
Family Number: P2001J013-US2

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REMARKS

Claims 1-15, as amended, are presented for examination.
Reconsideration is respectfully requested. Claim 16 has been cancelled.

In the present application, claims 1 and 16-19 stand rejected under 35 U.S.C. 102(b) and 35 U.S.C. 103 as being unpatentable over Closmann et al., U.S. 4,514,283 and Moschopedis et al., Thermal Decomposition of Asphaltenes singly or in combination. Claims 11 and 12 stand rejected stand provisionally rejected under 35 U.S.C. 101 for double patenting as claiming the same invention as that of copending Application No. 09/818,435. Claims 2-10 and 13-15 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 1-15 have been amended to more clearly define over the cited prior art. Claims 11 and 12 are included herein because the fee to allowed co-pending Application No. 09/818,435 will not be paid and therefore the provisional double patenting rejection will not remain an issue.

Neither Closmann nor Moschopedis singly or in combination disclose the present invention as defined by the amended claims. The temperature of the method of the present invention is below 150°C. Below 150°C, the present invention discloses a substantial amount of disaggregation of asphaltenes as evidenced by small angle neutron scattering (see p. 12, paragraph 0025).

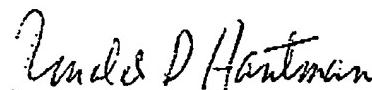
In contrast, Closmann claims a range of 329.4°C (625°F) to 371.1°C (700°F). Moschopedis (copy of paper attached) shows that there is almost no disaggregation of asphaltenes below 200°C (see Table 1 and Table 3). Therefore, the present invention and Closmann and Moschopedis are mutually exclusive.

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Applicants believe that the claims now present in this application to be patentable and that this application is in condition for allowance, and such favorable action is respectfully requested. If any questions or issues remain, the resolution of which the Examiner feels would be advanced by a conference, he is invited to contact Applicants' attorney at the telephone number noted below.

Respectfully submitted,



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Pursuant to 37 CFR 1.34(a)

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